

Town of Dover Planning Board

- Paul McGrath - Chairman
- William Gilbert - Vice Chairman
- William Isselin
- Angel Mendoza, Jr.
- William Shauer
- Cindy Romaine- Alderman
- Joan Bocchino

COUNTY OF MORRIS
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- James Dodd - Mayor
- James Visioli - Alderman
- Kevin Lewthwaite - Alternate I
- Kay Walker- Alternate II
- Kurt Senesky - Board Attorney
- Michael Hantson - Town Engineer
- Regina Nee - Clerk/Secretary

PLANNING BOARD REGULAR MEETING MINUTES FOR JUNE 28, 2006

CALL TO ORDER Chairman McGrath called the meeting to order at 8:10PM.

ROLL CALL: PRESENT: Commissioner Mendoza, Shauer, Bocchino, Isselin, Alternate I
Lewthwaite, Alderman Visioli, Chairman McGrath

ABSENT: Alternate II Walker, Alderman Romaine, Vice-Chairman Gilbert

ALSO PRESENT: Present this evening is Board Attorney Kurt Senesky and Town Engineer/
Planner, Michael Hantson.

Andrea Coroneos was filling in for Secretary Nee who is on vacation.

PLEDGE OF ALLEGIANCE was recited by all.

ADEQUATE NOTICE OF MEETING was read by Andrea Coroneos

MINUTES: May 24, 2006 Minutes

Commissioner Bocchino requested a correction to the minutes on page three changing the word
“minimum” to “maximum” in the last sentence.

A motion to approve the minutes was made by Commissioner Isselin, seconded by Commissioner
Mendoza and followed with a Roll Call vote.

ROLL CALL: Ayes: Commissioner Mendoza, Shauer, Bocchino, Isselin,
Alderman Visioli, Chairman McGrath

Nays: None

CORRESPONDENCE: Anyone wishing to view correspondence since the last meeting may do so
after the meeting. Please see the clerk.

PUBLIC PORTION

Chairman McGrath opened the meeting to the Public. Anyone from the public wishing to discuss
any business with this Board, other than the applications to be heard this evening, was asked to

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please come forward at this time. Seeing no hands, hearing no voices, this portion of the meeting was closed to the Public.

RESOLUTIONS

SP-01-06 – Dover Crafts, Block 703, Lot 8, also known as 158 W. Clinton Street located in the IND Zone. The application is a Minor Site Plan to construct an overhead door and loading area, and any other variances and waivers that may be required.

SD-02-06 – Chaplin Homes, Block 2205, Lots 1, 2, 3 & 17, also known as Harding Ave located in the R-2 Zone. The application is a Final Major Subdivision for the creation of three (3) single family building lots, and any other variances and waivers that may be required

The Resolutions for the above applications will be voted on at the next meeting.

CASES:

SP-03-06 – Woodmont at Dover, ET, LLC; Block 901, Lot 1.04, also known as Mount Pleasant Avenue located in the RAD Zone. The application is a Preliminary and Final Major Site Plan and Minor Subdivision to construct an 85,865 SF hotel and 58,697 SF office building with associated site improvements, including a variance for hotel parking, and any other variances and waivers that may be required.

Steve Santola, Attorney, was present for the applicant.

- Witnesses: Lewis Zlotnick, Woodmont Properties
- Rob Foley, Woodmont Properties
- Steve Sharpe, Director of Development, Hilton Hotels
- Lance Blake, Architect
- Walter Lubinecki, Traffic Expert
- Daniel Mc Sweeney, Schoor DePalma

Mr. Hantson read his report into the record. A letter from the engineer in Rockaway Township was sent to the Board and read by Mr. Hantson.

Lewis Zlotnick was sworn in. A booklet was distributed to Board members. He advised that the original request for proposal for redevelopment of the site was to have a tenant that would provide substantial public and economic benefits to the tax payers of Dover; more specifically the objectives were to provide the community with a high level of employment opportunities in a quality redevelopment, to relieve the Town of Dover and the taxpayers of the substantial cost of closing and remediating the landfill and to provide additional tax rateables to the Town of Dover. With an approval of this application we will be one step closer to filling these objectives.

Rob Foley was sworn in. Mr. Foley presented a power point presentation, A1-A10. He reviewed the site as it exists and how it will be developed. The remaining site will be subdivided into two lots; they are compliant in terms of all of the setback bulk requirements in the RAD development area zone with the exception of a few provision within parking count as well as parking space and

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aisle orientation. Testimony was given as to how these issues will be addressed. There will be a monument sign out at Mount Pleasant Avenue with a Homewood Suites logo as well as the office building name at the right hand in/out entrance; closer in on the property there will be two entrance and exit signs at the north driveway which will serve the hotel; as well as a façade sign on the upper portion of the building. There will also be an additional monument sign located at the south driveway for the office building that will be the primary entrance and exit to the building. The subdivision line, located in a cluster development with a centrally located parking area, with separate ownership, splits the lot with an unusual property line. A sidewalk access from the hotel to the parking lot will be constructed. Mr. Foley reviewed Mr. Hantson's report and how his concerns will be met regarding cross easements for parking, interior driveway setbacks, off-street loading areas, the trash enclosures, and appropriate landscaping, three ornamental trees, site access of Commerce Drive, agreement with requirements 16-19. The Operation and Management Plan is tied to Phase I and that has been prepared and will be submitted. The Stormwater Management Plan will be submitted prior to a C of O for Fed Ex. They will file the subdivision as a map – not a deed; mylar and print copies will be made of recorded map; also a digital copy will be required. A sidewalk out to Mt. Pleasant Avenue will be constructed with appropriate lighting as requested by the Board. Mr. Hantson requested a re-work of the curb layout with some geometric changes to it so there is less confusion in the area and was advised that the signage will be corrected.

This portion of the meeting was opened to the Public. Seeing no hands, hearing no voices, this portion of the meeting was closed to the Public.

Steve Sharp, was sworn in, and is the director of development for this Hilton site in Dover. An all suite hotel, which allows for primarily long term corporate stays and relocations, people in distress situations; it is an upscale corporate facility. There is no restaurant facility at this location, peak period is Monday through Thursday; there are 108 parking spaces for 108 rooms. There is a prep kitchen, no loading dock is required, trash pick up is twice a week. He believes that the current site for the dumpster is the best to meet the needs of this hotel. There would be around 35 to 40 employees.

This portion of the meeting was opened to the Public. Seeing no hands, hearing no voices, this portion of the meeting was closed to the Public.

Lance Blake, architect, who designed the office building, was sworn in. Mr. Blake presented an overall review of the proposed office building.

This portion of the meeting was opened to the Public. Seeing no hands, hearing no voices, this portion of the meeting was closed to the Public.

Walt Lubinecki, Traffic Expert, Engineer, was sworn in. He advised that the study was updated to account for the change in uses and the major revision in the study was the access of Mt. Pleasant Avenue. The left turn movement-in, was eliminated, and there is now a right-in and a right-out only. He evaluated the parking demand for the hotel and in his professional opinion the 1:1 space to room ratio is adequate. The internal parking site will be reworked. The loading areas are adequate, there are no safety concerns, they will not interfere with traffic, and the employee parking area will be situated there.

This portion of the meeting was opened to the Public. Seeing no hands, hearing no voices, this portion of the meeting was closed to the Public.

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Mr. Daniel McSweeney, Schoor de Palma, Planner, was sworn in. The variance is required because this site has been developed as a one comprehensive development with shared parking and cross-access easements between the two uses, which is a prudent use of the property. The development of each of these lots as separate entities is far below the maximum building coverage and the total lot coverage permitted for this zone. The open space remaining on this site is far in excess of that which is required or permitted by ordinance. In his opinion, the variance being sought falls under the C-2 Variance, “the flexible C variance requirements of the ordinance,” the slight deviation from the ordinance being sought would be outweighed by the benefits if the variance is granted.

This portion of the meeting was opened to the Public. Seeing no hands, hearing no voices, this portion of the meeting was closed to the Public.

A letter will be forwarded to Rockaway Township from the planning board stating that their request to have Mount Pleasant Avenue milled and paved along the work-site area will not be done by Dover.

Alderman Visioli made a motion to approve the application with conditions as discussed, seconded by Commissioner Isselin and followed with a Roll Call vote.

ROLL CALL: Ayes: Commissioner Mendoza, Shauer, Bocchino, Isselin, Lewthwaite, Alderman Visioli, Chairman McGrath
Nays: None

A break was taken at 10:15PM.
The meeting was called back to order at 10:24PM.

ROLL CALL: Present: Commissioner Mendoza, Shauer, Bocchino, Isselin, Lewthwaite, Visioli, Chairman McGrath
Still present are Board Attorney, Kurt Senesky, and Town Engineer Michael Hantson.

SD-03-06 – Housing Partnership Community Development Corp., Block 514, Lot 14, also known as Spring St. located in the R-3Zone. The application is a Minor Subdivision and variances to create three (3) new building lots for the construction of three (3) dwelling units with zero lot line side yard setbacks to meet the Town of Dover’s Affordable Housing obligation in accordance with the Housing Element of the Master Plan, and any other variances and waivers that may be required.

Alderman Visioli recused himself.

Paula DeBona was present to represent the Housing Partnership Community Development Corporation. This is a three lot sub-division on a lot that is owned by the Town of Dover. The town and the Housing Partnership Community Development entered into a contract for a conveyance of the land to the corporation for the development of three low and moderate income housing units that will help the town meet their COAH obligations.

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Witness: Kenneth J. Fox, architect and planner for the project, was sworn in.
Mike Spillane, engineer for the project.
A-1 – Colored Plan

Mr. Hantson read his report for the record. Regarding Item No. 6; he advised that the middle unit should be connected to the inlet without crossing over the other property or discharge out to the gutter.

Mr. Fox advised the application is for three attached, single family units, the size of the lot allows the construction of three units. They are marketing these as low and moderate income housing which has very specific cost restraints that need to be held to. The three units are being attached and located in the center of the property; adding a property line between the two of them so each one can be held in separate ownership. This is a zero lot-line development, there are three separate driveways, the two units on each side will be marketed as moderate income; the middle unit would be marketed for lower income. The middle unit will have access to its rear yard. A variance is required for the zero foot side yard setback requirements and a lot area variance as a result of connecting the three units.

Commissioner Isselin requested that the basements should be used for storage only and not be used as a habitable space.

Mr. Louis Riccio, Director of the Housing Authority in Madison, was sworn in. He advised that each one of these units will have a thirty year deed restriction. It will be the responsibility of the Housing Partnership CDC to oversee the deed restrictions. It will be filed with the County, so that if and when a unit is sold, it will oversee the sale of the unit which can only be sold during the thirty year period to an individual who meets the income guidelines mandated by the Council on affordable housing. The Master Deed will give provisions to each one of the members access to the rear yards for maintenance, for any other type of repairs. In addition, it will limit them to any renovation to the building; any renovations will require permission from the Housing Partnership. In relation to the basement, the unit in the back of the garage is small (12 x 14) and would contain the utility system. A bedroom cannot be created in the attic space. The units are two bedrooms, one and a half baths, and the deed will stipulate that another room cannot be changed into a bedroom. The Town of Dover Code Enforcement department will have the right to inspect the units on an annual basis and this will be written in the deed. If the Housing Partnership goes under, everything will revert back to the municipality. There is a thirty year deed restriction after which time it becomes open to market rate. The price is based on regulations of the Council of Affordable Housing and the income regulations also established by the council. The units cannot be sub-rented. After thirty years, the town can recoup any profit between the market value and what the affordable housing price was at that time. Commissioner Isselin asked what would happen if one of the residents wanted to put up a fence. Mr. Riccio stated that it was proposed to have fencing between the units, not enclosing the yards one hundred percent that would allow access to all the yards.

This portion of the meeting was opened to the Public.
Members of the Public who came forward:

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Wendy Carmona, 59 Randolph Ave., was sworn in. She was curious about the size of the backyard or “playing” space and the front space. She stated she prefers to see the land created into a park for the kids to play in.

Robert Buck, 71 Prospect Street, was sworn in. He voiced several complaints that pertained to the Prospect Court property and was advised that his concerns can be addressed through the Code Enforcement department.

Hiram Gonzalez, 27 Randolph Ave. was sworn in. His concern was for parking. He was advised that there are two parking spaces per unit as required per ordinance.

Marie Ann Buck, was sworn in. She expressed concern for traffic in the area, parking, snow removal, fire hydrants/ hazards with more development, more children in the area and no play areas.

Christina Buck, was sworn. She voiced concern for too many houses on one lot and no play area for children. Spring Street is already too busy of an area to support this project. She does not want to see the beautiful trees on the property destroyed.

Commissioner Lewthwaite questioned the curb line and asked if it could be adjusted. Mr. Hantson stated that they could look into adjusting the width of the road.

Jose Ruiz, 48 Randolph Ave. was sworn in. He asked what was going to happen to the trees next to his property line. He was advised that no land for the first fifteen feet from the property line would be disturbed. The building will be thirty-nine feet from his property line. He asked where the tenants will put their snow in the winter. Mr. Hantson asked if the deed could have an allowance for the placement of snow as a snow easement for the center house. Commissioner Isselin suggested a limited disturbance line and Mr. Hantson suggested the installation of a silt fence for a proposed limited disturbance.

Pat Donofrio was sworn in. He lives in the neighborhood. He suggested finding another location for this project.

Mr. Hantson advised that the Town of Dover has a housing obligation from our second round approved plan that defines this property as the property where the three units will be built and it was adopted by the Master Plan. It was accepted by COAH and the plan was adopted 7/24/96.

Mr. Senesky advised that the Board must apply the law and look at the facts of the situation; they cannot make their decision based on public feelings. Mr. Hantson stated that adjustments can be made to the catch basin, pulling the curb back, and improving the width of the roadway. The governing body can convert Spring Street to a one way street.

Hiram Gonzalez wants to know what will happen to the trees next to his yard in the future and how will it prevent someone from removing them. Attorney Senesky advised that a dedicated conservation easement can be included in the Master Deed.

This portion of the meeting was closed to the Public.

Michael Spillane, Site Engineer, was sworn in. He addressed the issues raised in Mr. Hantson’s report and advised the necessary changes will be made. Commissioner Isselin suggested tying the sidewalks into the driveway and eliminate the private sidewalks that run to the public sidewalk to give extra green area in the front property. Mr. Hantson suggested keeping the walkway and swing

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it over to the driveway after you get behind the back of the car to create green space. Mr. Isselin asked the height of the retaining wall and was told it would be four feet.

Hiram Gonzalez came forward and asked where company for the surrounding residents would park???

Commissioner Isselin requested the seepage pits be moved over in order to pick up some of the surface drainage in the swell that is being created on either side of the two end units; can it be grated? Commissioner Lewthwaite suggested the town should look into making the street one way.

A motion to approve the application with modifications, as discussed, was made by Commissioner Mendoza, seconded by Commissioner Shauer and followed with a roll call vote.

ROLL CALL: Ayes: Commissioner Mendoza, Shauer, Isselin, Lewthwaite, Chairman McGrath
Nays: Commissioner Bocchino

OLD BUSINESS – None

NEW BUSINESS – A Special Meeting for the Circulation Element initial draft and the Bassett Highway Re-Development Plan was set for Wednesday, July 19, 2006.

Referral of Ordinance 13-2006: The new street for the Fed Ex site will be named “Commerce Center Drive” but is subject to Board approval and a roll call vote must be taken.

A motion to accept the ordinance was made by Commissioner Isselin, seconded by Commissioner Shauer and followed with a Roll Call vote.

ROLL CALL: Ayes: Commissioner Mendoza, Shauer, Bocchino, Isselin, Lewthwaite, and Chairman McGrath
Nays: None

EWSP – None

A motion to adjourn was made by Commissioner Lewthwaite, seconded by Commissioner Isselin, with all in favor at 11:52PM.

THE NEXT REGULAR SCHEDULED MEETING IS JULY 26, 2006

IF ANY MEMBER CANNOT ATTEND, PLEASE CALL CLERK AT 366-2200-ext.115

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Respectfully submitted,

A handwritten signature in black ink that reads "Regina Nee". The signature is written in a cursive style with a large, looping initial 'R' and a long, sweeping tail on the 'e'.

Regina Nee
Clerk/Secretary
Planning Board